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October 9, 2019

**Via ECFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: WC Docket Nos. 10-90, 14-58, 07-135, and CC Docket No. 01-92**  
**Miller Telephone Company**  
**Zenda Telephone Company**  
**Notice of *Ex Parte***

Dear Ms. Dortch:

On Monday, October 7, David Damiani and John Michon of TelAtlantic Communications, Inc., and John Kuykendall and Cassandra Heyne of JSI (“TelAtlantic Representatives” or “Representatives”) met with Preston Wise of the Office of Federal Communications Commission (“FCC”) Chairman Ajit Pai. First, the TelAtlantic Representatives requested a status update on Miller Telephone Company’s pending petition for waiver<sup>1</sup> of the Alternative Connect America Model (“A-CAM”) II election date so that the Wireline Competition Bureau (“WCB”) can recalculate Miller’s A-CAM II offer by removing Total Highspeed, LLC’s fixed wireless coverage from consideration as an unsubsidized competitor.

The TelAtlantic Representatives informed Mr. Wise that they filed a supplement to the Miller Petition on October 3. Since filing the initial petition, and their previous meeting with Mr. Wise, the FCC has released the June 2018 Form 477 data. Miller reviewed Total Highspeed’s June 2018 data and found that not only had it reduced the number of census blocks overlapping Miller’s ILEC study area, but it reduced the reported speed of 500/500 Mbps to 30/30 Mbps. Miller’s supplement asks the FCC to take Total Highspeed’s June 2018 Form 477 data as evidence that they could not, and did not, provide 500/500 Mbps to all but six locations in Miller’s study area. Miller requests that the FCC proceed with granting its petition expeditiously and recalculating its A-CAM II offer. The TelAtlantic Representatives also emphasized that Total Highspeed cannot be considered an

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<sup>1</sup> See Petition of Miller Telephone Company for Waiver of A-CAM II Election Deadline and Request For a Revised ACAM Offer, WC Docket No. 10-90 et al., filed July 11, 2019 (“Miller Petition”).

unsubsidized competitor in *any* portion of Miller's study area because the fixed wireless provider charges rates that exceed the broadband benchmark rate by a considerable amount.

Next, the TelAtlantic Representatives requested a status update on a petition for waiver filed by Zenda Telephone Company ("Zenda") in April, seeking waiver of the FCC's requirement that geocoded broadband location data filed in the HUBB can only be certified if the location deployment data was dated in the reporting period for the year.<sup>2</sup> Zenda also seeks clarification that late-filed locations will ultimately still count towards its final build-out obligation when it comes time to certify completion. Zenda is an extremely small company in a rural area of Kansas that has very little population change or growth. The company inadvertently did not include 37 locations in its HUBB filing for the reporting period of calendar year 2017 that was required to be certified by March 1, 2018. Zenda filed the locations shortly after the deadline and was unable to certify the data. Zenda sought guidance from USAC, and USAC ultimately told Zenda to file a waiver with the FCC requesting that the FCC direct USAC to permit Zenda to certify the late-filed locations.

Please direct any questions regarding the filing to the undersigned.

Sincerely,



John Kuykendall  
JSI Vice President  
301-459-7590, [jkuykendall@jsitel.com](mailto:jkuykendall@jsitel.com)

cc: Preston Wise

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<sup>2</sup> See Petition of Zenda Telephone Company, WC Docket No. 10-90 et al., filed April 30, 2019.